

# **EXHIBIT 04**

**Trial Tr. 07 16 18 PM**

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

RUTH V. BRIGGS,	.
	. Case No. 1:15-cv-00902-LS
Plaintiff,	.
	.
vs.	. 601 Market Street
	. Philadelphia, Pennsylvania 19106
	. July 16, 2018
	.
TEMPLE UNIVERSITY,	.
	.
Defendants.	.

. . . . .

TRANSCRIPT OF TRIAL  
DAY 1 - P.M. SESSION  
BEFORE THE HONORABLE ROBERT F. KELLY  
UNITED STATES DISTRICT JUDGE  
AND A JURY

APPEARANCES:

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1 Dr. Wu would have then most likely been asked by Drew, Have  
2 you -- are you okay with this?

3 Q But the question was simple: Did you express to Deirdre  
4 Walton that it was Dr. Wu's request to terminate Briggs --  
5 Ruth Briggs, and you're saying that it was not Dr. Wu's  
6 request to terminate Ruth Briggs now?

7 A Through the process of the disciplinary action that was  
8 being handed up to HR, the discipline out of that is  
9 termination and Dr. Wu was okay with the termination.

10 Q But you're saying he didn't request for her to be  
11 terminated?

12 A He requested for the appropriate disciplinary action to  
13 be taken, which may include up to termination.

14 Q So, what you testified to in your deposition is not  
15 true?

16 A No, it is true.

17 Q I don't think it can be both, Mr. Wacker?

18 MR. HARRIS: Objection; argumentative.

19 THE COURT: Sustained.

20 BY MS. MATTIACCI:

21 Q Now, is it your position that Ms. Walton, who is the HR  
22 person, never relayed to you that Ms. Briggs was complaining  
23 about a hostile work environment?

24 A I don't recall.

25 Q So, she may have relayed to you Ms. Briggs' complaint of

1 or three days that they were here.

2 Q Why was that significant?

3 A That's a big impression on the outside community. This  
4 is a high-scientific individual that Dr. Wu collaborates or  
5 has a relationship with and it's important to put our best  
6 foot forward and show that, you know, we are a top-notch  
7 research institution and can handle those types of things.  
8 And this, you know, presents a negative image, then, of the  
9 Department and Dr. Wu.

10 Q Mr. Wacker, do you know whether Ms. Briggs spoke with  
11 Sandy Foehl before the end of her employment?

12 A I do not.

13 Q Do you know what she might have spoken with Sandy Foehl  
14 about?

15 A I do not.

16 Q Do you know whether Ms. Briggs complained of  
17 discrimination while she worked at Temple?

18 A I do not.

19 Q Do you know whether Ms. Briggs complained of retaliation  
20 while she worked at Temple?

21 A I do not.

22 Q Do you know whether Ms. Briggs complained about age-  
23 based harassment while she worked at Temple?

24 A I do not.

25 Q Do you know whether Ms. Briggs complained of sex or

1 gender-related harassment while she worked at Temple?

2 A I do not.

3 Q Do you know what Ms. Briggs' age is?

4 A I do not.

5 Q Do you know when her birthday is?

6 A I do not.

7 Q How old are you?

8 A I'll be 56.

9 Q Did Ms. Briggs' age have anything to do with the end of  
10 her employment?

11 A No.

12 Q Did Ms. Briggs' sex have anything to do with the end of  
13 her employment?

14 A No.

15 Q At any time, were you concerned that Ms. Briggs was  
16 being treated differently at Temple because of her sex?

17 A No.

18 Q At any time, were you concerned that Ms. Briggs was  
19 being harassed?

20 A No.

21 Q Do you know who replaced Ms. Briggs?

22 A Yes.

23 Q Who was that?

24 A It -- it was a Marilyn Grandshaw.

25 Q Is Marilyn a woman?

1 A Yes.

2 Q So my question was: Isn't it true that Ms. King did not  
3 show up for three days, and never called in, and never told  
4 anybody where she was, and then showed back up on the fourth  
5 day?

6 A Yeah, it's correct.

7 Q Okay.

8 A But it's during the hurricane, there's no electricity.

9 Q And --

10 A So she gave me this explanation.

11 Q In the Fall of 2013, what hurricane hit the east coast?

12 A I don't recall the name. You can look at the record,  
13 there is a hurricane.

14 Q Okay.

15 A And whole of Philadelphia, many places lost power. So I  
16 gave her the benefit of doubt. But I still criticize her and  
17 to tell her seriously, and should not do this in the future.

18 Q You did not issue her a written warning, correct?

19 A Yeah, because this is a first offense.

20 Q Okay. My question was: You did not issue her a written  
21 warning.

22 A No.

23 Q And there was no three-day suspension.

24 A No.

25 Q And this hurricane, did it also affect Temple

1 Q Okay. Did Ms. Walton, Deirdre Walton, ever relay to  
2 you that Ms. Briggs was complaining of sex and age  
3 discrimination?

4 A No. Because I would take this very seriously.

5 Q Did Ms. Walton ever relay to you that Ms. Briggs was  
6 complaining of retaliation by you?

7 A No.

8 Q How about Mr. Greg Wacker --

9 A No.

10 Q -- did he -- let me just finish, for the record.

11 Did he ever relay to you that Ms. Briggs was complaining  
12 about hostile work environment, retaliation, and age and sex  
13 discrimination?

14 A No.

15 Q So, when you -- at some point after she was terminated,  
16 you were advised of this, correct?

17 A No. Only this year.

18 Q Just until this year?

19 A Yeah, this year. That's why I was in shock, like how  
20 can Ruth say this against me.

21 Q Wow, okay.

22 A Or this year, last year, so it's -- that's --

23 THE COURT: Are we finished with this? Are we  
24 finished?

25 MS. MATTIACCI: I just want to -- one moment, Your